

EXHIBIT I

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

2008 MAR -6 A 10:56
JAL

UNITED STATES OF AMERICA

Crim. No. 04-CR-385

v.

The Hon. Leonie M. Brinkema

ALI AL-TIMIMI

GOVERNMENT'S UNCLASSIFIED STATUS
REPORT REGARDING DISCOVERY RELATED TO NSA

By even date herewith, the United States has submitted an *ex parte, in camera*, classified status report regarding the progress of the search for discoverable materials in the possession of the National Security Agency ("NSA"). This redacted pleading is filed on an unclassified basis.

On November 23, 2007, the parties came before the Court on the government's motion to quash defendant Ali Al-Timimi's request for discovery. In essence, the government argued that the defendant's discovery requests were too broad, and that, based on the representations contained in an *ex parte, in camera*, classified pleading filed by counsel assigned to the Department of Justice in Washington, D.C. - - that undersigned counsel was not cleared to see - - at least some of the defendant's discovery requests were moot.

This Court issued an Order providing that it would not consider the government's motion absent a representation by a member of the United States Attorney's Office regarding the search for discoverable records.

Undersigned counsel has been cleared to examine any materials collected by the NSA, to include those intercepted through the Terrorist Surveillance Program ("TSP"). With the assistance of FBI Special Agent John Wyman, undersigned counsel spent time at NSA in


December 2007 and January 2008 searching for discoverable materials in NSA records. Further, undersigned counsel spent additional hours questioning NSA officials about NSA's record-keeping practices.

To date, undersigned counsel's search for discoverable information at NSA has located no information not provided to the defendant pre-trial but to which he was entitled in discovery. In that sense, we have duplicated the search conducted by Deputy Assistant Attorney General Rowan and reached the same results that he did, as shared with this Court in his pleadings of July 31, 2007 and November 5, 2007.

Undersigned counsel believes that further work is necessary to carry out the government's discovery duties in this matter. As a result, more time is needed to accomplish this task. This pleading is filed now, however, so that the Court may know of the status of the ongoing activity. Undersigned counsel hopes that he may soon be able to advise this Court that the discovery search is completed.

Respectfully submitted,

Chuck Rosenberg
United States Attorney

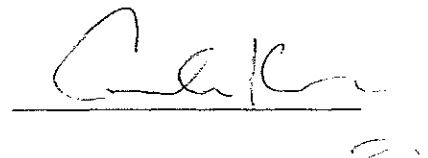


Gordon D. Kromberg
Assistant United States Attorney

CERTIFICATE OF SERVICE

I certify that, this 6th day of March 2008, I caused a true copy of the attached
GOVERNMENT'S UNCLASSIFIED STATUS REPORT REGARDING DISCOVERY
RELATED TO NSA MATERIALS to be mailed, postage-paid, to:

Jonathan Turley
2000 H Street, N.W.
Washington, D.C. 20052

A handwritten signature in dark ink, appearing to read 'Jonathan Turley', is written over a horizontal line.